IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3698 OF 2004
IN
CRIMINAL APPEAL NO. 1033 OF 2004

Ibrahim Dost Mohammed Shaikh
and Anr. ...Appellants

V/s

State of Maharashtra ...Respondent.

Mr. W.N. Yande, Sr. Advocate with Mr. J.S. Kini for
the appellants.

Mr. D.P. Adsule, APP for the respondent - State.

CORAM: V.M.KANADE,J.

DATE: 14TH OCTOBER, 2004

PC:.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the respondent - State.

2. Applicant is charged under section 436 read with section 4 of the Explosive Act and section 307 I.P.C. read with section 34 I.P.C. Prosecution's case in the trial court was that the accused threw explosive substance as a result of which the complainant was injured. Trial Court convicted the accused under sections 436 and section 4 of Explosive Act read with section 34 of the I.P.C. as also under section 307 I.P.C read with section 34 I.P.C. and sentenced to

suffer R.I. for two years and five years respectively. From the evidence it is revealed that P.W.12 who is an expert in explosives has stated that explosive substances were found in the sealed packet which was sent for analysis. Complainant P.W.3 had stated that the applicant had thrown the explosive substances as a result of which he was injured.

3. In my view, this is not a fit case for grant of bail. Application for bail is rejected.

V.M. KANADE, J.